

LABOUR DEPARTMENT

The 22nd December, 1975

No. 13279-4Lab-75/37277.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the Management of M/s The Madlauda Co-operative Marketing-cum-Processing Society Ltd., Madlauda.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 21 of 1974

between

SHRI PIARE LAL AND THE MANAGEMENT OF M/S MADLAUDA CO-OPERATIVE
MARKETING-CUM-PROCESSING SOCIETY LTD., MADLAUDA.

Present—

Shri Raghubir Singh, for the workman.

Nemo, for the management.

AWARD

By order No. ID/KNL/204-A-74/5626-30, dated 5th March, 1974, of the Governor of Haryana, the following dispute between the management of M/s The Madlauda Co-operative Marketing-cum-Processing Society, Ltd., Madlauda, and its workmen Shri Piare Lal was referred for adjudication to this Court, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Piare Lal, was justified and in order? If not, to what relief is he entitled?”

The parties appeared in this Court in response to the notices sent to them and filed their pleadings giving rise to the following issue:—

Whether the termination of services of Shri Piare Lal, was justified and in order? If not, to what relief is he entitled?

The management did not appear on 13th February, 1975 despite being directed to do so and adduce their evidence on the issue framed,—vide my order dated 4th August, 1975 with the result that *ex parte* proceedings were taken up against them on that date and the workman was directed to adduce his evidence on 20th November, 1975.

He appeared on that date and made his *ex parte* statement that his services had been terminated by the management without sufficient cause and without holding any enquiry. He deposed that 3 criminal cases had been registered against him at the instance of the management and he was finally acquitted of all the charges made against him and that despite best efforts made by him he could not find a job. He added that he thus remained un-employed from 29th September, 1969 the date of termination of his services till the date of reinstatement. He brought on record the copies of the judgments Exhibits W. 1. to W. 3 which fully establish his pleas.

I have no reason to disbelieve the statement of the workman particularly when the proceedings against the management are *ex parte* and they have not taken care to defend the demand raised by the workman. I as such relying on the statement of the workman hold that his services were terminated without justification and that he is entitled to reinstatement with effect from 29th September, 1969 with continuity of service and all back wages. I return the award accordingly. There shall be no order as to costs.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Dated 20th November, 1975.